S.B.CRIMINAL MISC. BAIL APPLICATION NO.4964/2006

Date : 10.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. S. Sarupariya for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that the truck was found in the name of the husband of the applicant who has been arrested in other case either in Patiyala or Punjab. He submits that there is no involvement of the applicant in the case except being registered owner of the truck.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

After hearing learned counsel for the parties while taking into consideration the overall facts and circumstances of the present case and the fact that more than 800 Kgs of Poppy Husk was found in the truck and the matter is pending investigation, therefore, I do not feel inclined to extend benefit of bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. stands rejected. However, the applicant shall be at liberty to move regular bail application before the learned trial court after filing of charge-sheet.

(SATYA PRAKASH PATHAK), J.

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